ROBERT BREAKEY.

RETURN to an Order of the Honourable The House of Commons, dated 13 March 1838;—*for*,

COPIES of all CORRESPONDENCE which has taken place between the Irish Government, and the Governors or Officers of the Belfast Lunatic Asylum, respecting the case of *Robert Breakey*, sent to that Asylum, by order of the Lord Lieutenant of Ireland, from the Gaol of the County of Down, in April 1836; together with Copies of all Resolutions of the said Governors, touching that case, transmitted to the Irish Government.

(True Copies.)

Dublin Castle. T. DRUMMOND.

Sir, Down Gaol, 21 March 1836.

BY direction of the Board of Superintendence of Down Gaol, I beg to inform you, that at the late assizes for the county of Down, the rule made in reference to Samuel Heron and Robert Breakey was as follows: "Lunatics to remain in custody, to abide the orders of the Lord Lieutenant." The Board desire me to express their desire that his Excellency would be pleased, as soon as possible, to order them to the District Lunatic Asylum for the lunatics of Down and Antrim, at Belfast, as there are not any lunatic wards connected with this gaol.

I have, &c.

(signed) *S. Hamilton Rowan*,
Governor Down Gaol.

The Chief Secretary,
&c. &c. &c.

Sir, Dublin Castle, 31 March 1836.

I AM commanded by the Lord Lieutenant to signify his Excellency's desire, that you will transmit Samuel Heron and Robert Breakey, prisoners in the gaol under your charge, to the District Lunatic Asylum of Belfast, to be there detained until further order.

I am, &c.

(signed) *T. Drummond.*

The Keeper of the Gaol, Co. Down,
&c. &c. &c.

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Gentlemen, Dublin Castle, 5 April 1836.

I AM commanded by the Lord Lieutenant to signify his Excellency's desire, that you will give the necessary directions for the admission of Samuel Heron and Robert Breakey, who are at present in the gaol of the county of Down, in a state of unsound mind, into the lunatic asylum under your direction.

I have, &c.

The Governors of the
District Lunatic Asylum, Belfast.

(signed) *T. Drummond.*

My Lord, Belfast District Lunatic Asylum, 9 November 1836.

I HAVE been instructed by the governors of this asylum to apprise your Lordship, for the information of the Lord Lieutenant, that a patient, named Robert Breakey, was transmitted, by a command of his Excellency dated 11th April ult., from the gaol of the county Down to the asylum; and that, inasmuch as he is now, and has been for some time past, perfectly sane and well fitted to reside with his own family, the governors respectfully request that his Excellency may be pleased to order his discharge from the asylum accordingly.

I have, &c.

Right Hon.
Lord Viscount Morpeth,
&c. &c. &c.

(signed) *Robert Stewart,*
Manager.

Sir, Dublin Castle, 15 November 1836.

I HAVE received your letter of the 9th instant, requesting, by desire of the governors of the Belfast District Lunatic Asylum, that Robert Breakey may be removed from the asylum.

And I am to acquaint you, by direction of the Lord Lieutenant, that the request of the governors cannot be complied with.

I am, &c.

Robert Stewart, Esq.
&c. &c. &c.

(signed) *T. Drummond.*

Sir, Belfast District Lunatic Asylum, 7 February 1837.

AT a meeting of the governors of this asylum held yesterday, the Bishop of Down and Connor in the chair, a reconsideration of the case of Robert Breakey was entered upon, who was sent hither 30th April 1836 from Down gaol, by command of the Lord Lieutenant. His case, it may be recollected, was brought under his Excellency's notice by the governors on the 9th November ult., for the purpose of obtaining permission to have him discharged, he being perfectly sane; his Excellency, however, was pleased to state, through you, on the 15th November ult., that "he could not be removed from the asylum." The matter thus remained over until yesterday's board, when the following resolution was unanimously agreed upon, and desired to be duly communicated to you, which I now have the honour to do.

Resolved, That inasmuch as Mr. Drummond has informed the governors that their request to liberate Robert Breakey has been refused; and that inasmuch as the said Breakey has been reported to the board by the manager and physician as being perfectly sane, since the date of his admission, which has further been made

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made evident to the governors themselves, upon a careful personal examination, it be accordingly notified to Mr. Drummond, as their opinion, that the circumstances connected with Breakey's transmission have been overlooked, it appearing to them that his being placed in the asylum has been altogether irregular, there being no evidence that he was tried for any offence, or declared by a jury to be insane; that, therefore, the man is, by the laws of his country, entitled to his liberty; and that consequently the governors trust that an immediate order may be issued for his discharge.

Your attention is now also respectfully called to the subject of the communication forwarded to you from the asylum on the 3d ult., to which no answer has as yet been received.

Respecting Johnson and Rutherford. *See* the Papers relating to their case. The proper steps were immediately taken.
15 Feb. *T. D.*

I have, &c.
(signed) *Robert Stewart.*

T. Drummond, Esq.
&c. &c. &c.

Sir, Dublin Castle, 10 February 1837.

I AM directed by the Lord Lieutenant to request you will inform me, whether Robert Breakey, who was transmitted from the gaol county Down to the District Lunatic Asylum of Belfast, was tried, and if so, for what crime.

I am, &c.
(signed) *T. Drummond.*

The Governor of Gaol,
County Down.

Sir, Down Gaol, 11 February 1837.

IN answer to your letter of the 10th instant, desiring to know "whether Robert Breakey, who was transmitted from this gaol to the District Lunatic Asylum at Belfast, was tried, and for what crime," I beg to state, that Robert Breakey was committed as being a dangerous lunatic, on the oath of Dr. Chermside, of Warrenpoint. Robert Breakey was brought up before Chief Baron Joy, at Spring assizes 1836, when it was ruled, "A lunatic, to remain in custody to abide the orders of the Lord Lieutenant." On the 21st March I wrote, by order of the board of superintendence, to the Chief Secretary, informing him of the above, and received his answer, of which the enclosed are copies.

I am, &c.
(signed) *S. Hamilton Rowan,*
Governor Down Gaol.

T. Drummond, Esq.
&c. &c. &c.

Sir, Dublin Castle, 16 February 1837.

I AM commanded by the Lord Lieutenant to signify his Excellency's desire, that you will transmit to me copies of the committals and informations sworn against Samuel Heron and Robert Breakey; and, at the same time, inform me, whether any indictment was found against them.

I am, &c.
(signed) *T. Drummond.*

The Governor of Gaol,
County Down.

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Sir Down Gaol, 18 February 1837.

I BEG to acknowledge the receipt of your letter of the 16th instant, requiring copies of the committals and informations sworn against Samuel Heron and Robert Breakey; and also to know whether any indictment was found against them. I herewith enclose copies of the committals; the informations do not come into my hands; they, I presume, are in the hands of Clotworthy Macartney, Esq., Clerk of the Crown, who also can give information whether any indictment was found against Heron and Breakey or not.

I am, &c.

T. Drummond, Esq. (signed) *S. Hamilton Rowan.*
&c. &c. &c.

COPY COMMITTAL.

County of Down } By Roger Hall and James Robinson, Esqrs. two of His
to wit. } Majesty's Justices of the Peace for said county.

These are to charge and command you, or any of you, in His Majesty's name, forthwith to convey and deliver into the custody of the keeper of His Majesty's gaol of Downpatrick, the body of Robert Breakey, of Dromore, in said county, this day brought before us, and charged, upon the oath of Robert Chermside, M.D., with being a dangerous lunatic, and unfit to go at large, as appears from the affidavit of the said Robert Chermside, M.D., who has been consulted this day,

The keeper of the said gaol of Downpatrick is therefore hereby, in His Majesty's name, commanded to receive the body of the said Robert Breakey into his custody, and him safely keep until thence discharged by due course of law.

Given under our hands and seals, at Warrenpoint, in said county, this 29th day of February 1836.

(signed) *Roger Hall.* (L. S.)
James Robinson. (L. S.)

To all chief and petty constables within the said county, and their assistants, and also to the keeper of His Majesty's gaol of Downpatrick.

Sir, Dublin Castle, 21 February 1837.

I AM commanded by the Lord Lieutenant to signify his Excellency's desire, that you will furnish me with a copy of the informations sworn against Samuel Heron and Robert Breakey; and at the same time inform me, whether any indictment was found against them.

I am, &c.

The Clerk of the Crown, (signed) *T. Drummond.*
County Down.

Sir, Down, 2 March 1837.

ON my arrival in Down this morning, I had the honour to receive your note of the 21st February, and I enclose a copy of the information against Samuel Heron. No information was returned against Robert Breakey, but he was committed as a dangerous lunatic. No indictment was preferred against either.

I have, &c.

T. Drummond, Esq. (signed) *C. Macartney.*
&c. &c. &c.

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Sir, Dublin Castle, 7 March 1837.

I HAVE to acknowledge your letter of the 2d instant, enclosing a copy of the information against Samuel Heron, &c., and to request you will have the goodness to state, whether there is a Crown-office at Down, and whether there is any competent person in daily attendance at that office; and if so, how it has happened that a letter on public business, addressed to you on the 21st ultimo, should have remained unanswered till the 2d instant.

I have, &c.

The Clerk of the Crown, Down. (signed) *T. Drummond.*

Sir, Dublin Castle, 15 March 1837.

WITH reference to your letter of the 9th November last, and subsequent correspondence, relative to the release of Robert Breakey, I am directed by the Lord Lieutenant to state, that after a full consideration of the circumstances, his Excellency has decided, that if the governors and the physician of the asylum will certify, that Breakey is so perfectly restored as to warrant his being at large without any danger to the public safety, the usual order will be given for his discharge.

I am, &c.

R. Stewart, Esq. Belfast. (signed) *T. Drummond.*

To his Excellency the Lord Lieutenant, &c. &c. &c.

THIS is to certify your Excellency, that having made particular inquiry concerning the condition of Robert Breakey, at this time an inmate of the Belfast Lunatic Asylum, We, the undersigned Governors, Physicians and Manager, are of opinion, that the said Breakey is so perfectly restored as to warrant his being at large without any danger to the public safety.

Given at our Board Room, 1 May 1837.

Richard Down and Connor, Chairman.
William Clarke.
N. C. Macartney.

(signed) *Thomas Hindes.*
S. S. Thompson, M.D. Physician to the Asylum.
Robert Stewart, M.D. Manager.

Sir, Dublin Castle, 11 May 1837.

I am commanded by the Lord Lieutenant to signify his Excellency's approbation of Robert Breakey, at present an inmate of the Belfast Lunatic Asylum, being discharged, it being certified by the governors and physician that he may be liberated without any danger to the public safety.

I have, &c.

The Manager of the District Lunatic Asylum, Belfast. (signed) *T. Drummond.*

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Sir, Belfast District Lunatic Asylum, 3 July 1837.

At a meeting held this day of the governors of this asylum, the annexed resolution (having reference to the case of a patient sent hither by order of the Lord Lieutenant from Downpatrick Gaol, on 11th April 1836) was entered into, and directions given to me to forward a copy thereof to his Excellency.

(A.)

Resolved, "That report having been made to the Board that Robert Breakey, who was reported at the last meeting to have been seized with mania, had continued in that state till the period of his death, which occurred on the 21st June, the Board cannot but express their deep concern at this termination of a case which had for many months placed them in a difficult and painful predicament, caused, in the first place, by what they consider the irregular admission of the man into the asylum, and then by the impediments thrown in the way of their repeated endeavours to procure his liberation, whilst he was still unaffected by insanity."

I have, &c.
(signed) *Robert Stewart*, M.D. Manager.

T. Drummond, Esq.
&c. &c. &c.

Sir, Dublin Castle, 5 July 1837.

With reference to your letter of the 3d instant, on the case of Robert Breakey, I request you will acquaint me on what day Breakey was seized with mania.

I am, &c.
(signed) *T. Drummond.*

R. Stewart, Esq.
&c. &c. &c.

Belfast District Lunatic Asylum, 6 July 1837.

Dr. Stewart's compliments to Mr. Secretary Drummond, begs, in reply to his favour of this day's receipt, to inform him, that Robert Breakey became affected with acute mania the latter end of May, or about three weeks prior to his death taking place, which, owing to a clerical error, was stated, in Dr. S.'s letter of the 3d instant, to have occurred on the 21st ult., instead of the 19th ult.

Dr. Stewart further begs to state, that the Government order for Breakey's discharge arrived at the asylum on the 12th May, and was communicated accordingly to him, as well as a letter written at the same time to his family, notifying to them to attend at, and remove him forthwith from, the asylum; as, according to the rules of the institution, no inmate is permitted to leave it until a relative or other proper person he in the first instance applied to for such purpose. After waiting a week for an answer from his family without effect, a second letter was then written to Mr. Hall, J. P. of Warrenpoint (on whose property the deceased's family lived), requesting that he would require the object of the first letter being complied with, which letter Mr. H. did not reply to till the 2d ult., he having been from home. Between the period of time that elapsed of the two letters now referred to being written, Breakey became affected with mania of the most ungovernable description, the symptoms of which continued unabated in violence till the fatal termination, as already stated, took place.

It appeared to Dr. Stewart and Dr. Thomson (and so reported by them to a meeting of the Board on the 5th ult.), that such seizure of mania was the result of excitement consequent on the application for his discharge, which now suddenly developed itself, and was not at all connected with the cause assigned for his being placed in the asylum, the deceased having hitherto never manifested any unsoundness of mind.

T. Drummond, Esq.
&c. &c. &c.

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COPY of MEMORANDUM on Dr. *Stewart's* Letter, dated 6th July 1837.

THE resolution of the Board, marked (A.), is most inaccurate in some important respects. The cause of this man having been confined in the asylum in the first instance, was an improper order left by the Chief Baron; as the prisoner had neither been brought to trial, nor arraigned, and found insane by a jury, no such order should have been made. Some delay took place, in consequence of Mr. Connor, through inadvertence, not having answered my question of 10th November, viz. "What was the crime?"* But after the second communication from the Board, whatever delay took place is imputable either to the officers of the asylum, or to the clerk of the Crown. Though the Board of Superintendence are right in stating that the admission of this man into the asylum was irregular, they are most inaccurate in stating that impediments were thrown in the way of their repeated applications for his liberation.

* *See* Memorandum on Mr. Stewart's Letter of 9th November.

It is also to be observed, that this unfortunate man died raving mad, very shortly after the medical men had certified as to his perfect sanity.

The man being dead, and a considerable time having elapsed since the receipt of the last letter of the Board of Superintendence, it is unnecessary to make any further communication to the Board on the subject. If any future reference should be made to this case, the annexed papers will fully support the above memorandum.

28 August 1837. (signed) *T. Drummond.*

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